

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LEAH HOROWITZ,

Plaintiff,

MEMORANDUM & ORDER
10 CV 0439 (RJD) (JO)

-against-

THE SEA GATE ASSOCIATION, INC., et al

Defendants.

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DEARIE, Chief Judge.

Plaintiff initially filed this action in the Supreme Court of the State of New York claiming, among other things, unlawful search and seizure in violation of 42 U.S.C. § 1983 and the Fourth and Fourteenth Amendments as well as pendant state law claims. Defendants removed the action to this Court on the basis of federal question jurisdiction.

By letter dated April 9, 2010, plaintiff submitted a stipulation executed by the parties dismissing all of plaintiff's federal claims. Plaintiff requests that the Court dismiss her action without prejudice to refile in state court. Given that (i) the action is in its infancy, (ii) no federal claims remain, and (iii) defendants have not objected or otherwise responded to plaintiff's request for dismissal, the Court declines to exercise jurisdiction over the remaining state law claims, see 28 U.S.C. § 1367(c), and the action is hereby remanded to the state court.

SO ORDERED.

Dated: Brooklyn, New York
April 21, 2010

/

s/ Judge Raymond J. Dearie

RAYMOND J. DEARIE
United States District Judge